

BLITMAN & KING LLP
Jennifer A. Clark, Esq.
Jonathan M. Cerrito, Esq.
Brian J. LaClair, Esq.
Franklin Center, Suite 300
443 North Franklin Street
Syracuse, New York 13204-5412
Telephone: (315) 422-7111
Facsimile: (315) 471-2623
Email: jaclark@bklawyers.com
jmcerrito@bklawyers.com
bjlaclair@bklawyers.com

Attorneys for Bricklayers and Allied Craftsmen Local 2 Annuity Fund, Bricklayers and Allied Craftworkers Local 2, Albany, New York, Pension Fund, Central New York Laborers' Annuity Fund, Central New York Laborers' Pension Fund, International Brotherhood of Electrical Workers Local Union No. 43 and Electrical Contractors Pension Fund, I.B.E.W. Local 139 Pension Fund, I.B.E.W. Local 241 Pension Fund, I.B.E.W. Local 325 Annuity Fund, I.B.E.W. Local 325 Pension Fund, I.B.E.W. Local 910 Annuity Fund, I.B.E.W. Local 910 Pension Fund, I.B.E.W. Local 1249 Pension Fund, Laborers' Local 103 Annuity Fund, Laborers' Local 103 Pension Fund, Local 73 Annuity Fund, Local 73 Retirement Fund, Oswego Laborers' Local 214 Pension Fund, Roofers' Local 195 Pension Fund, Roofers' Local 195 Annuity Fund, SEIU 1199Upstate Pension Fund, Service Employees of Upstate New York Pension Fund and Syracuse Builders Exchange, Inc./CEA Pension Plan

**UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

-----X	
SECURITIES INVESTOR PROTECTION	:
CORPORATION,	:
Plaintiff,	:
	:
— versus —	:
	:
BERNARD L. MADOFF INVESTMENT	:
SECURITIES, LLC,	:
Defendant	:
-----X	
In re BERNARD L. MADOFF,	:
Debtor	:
-----X	

**AFFIDAVIT OF JENNIFER A. CLARK, ESQ. IN SUPPORT
OF OBJECTION TO TRUSTEE'S DETERMINATION OF CLAIMS**

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss.:

JENNIFER A. CLARK, ESQ., being duly sworn, states as follows:

1. I am a partner in the law firm of Blitman & King LLP, attorneys for Bricklayers and Allied Craftsmen Local 2 Annuity Fund, Bricklayers and Allied Craftworkers Local 2, Albany, New York, Pension Fund, Central New York Laborers' Annuity Fund, Central New York Laborers' Pension Fund, International Brotherhood of Electrical Workers Local Union No. 43 and Electrical Contractors Pension Fund, I.B.E.W. Local 139 Pension Fund, I.B.E.W. Local 241 Pension Fund, I.B.E.W. Local 325 Annuity Fund, I.B.E.W. Local 325 Pension Fund, I.B.E.W. Local 910 Annuity Fund, I.B.E.W. Local 910 Pension Fund, I.B.E.W. Local 1249 Pension Fund, Laborers' Local 103 Annuity Fund, Laborers' Local 103 Pension Fund¹, Local 73 Annuity Fund, Local 73 Retirement Fund, Oswego Laborers' Local 214 Pension Fund, Roofers' Local 195 Pension Fund, Roofers' Local 195 Annuity Fund, SEIU 1199Upstate Pension Fund, Service Employees of Upstate New York Pension Fund, and Syracuse Builders Exchange, Inc./CEA Pension Plan (collectively "Objectors").

2. I submit this affidavit in support of Objectors' May 16, 2011, Objection to Trustee's Determination of Claims.

3. Attached as Exhibit A are the following Objectors' Customer Claims ("Claims") against the estate of Bernard L. Madoff Investment Securities ("BLMIS") timely filed under the Securities Investor Protection Act ("SIPA"), 15 U.S.C. §§ 78aaa-78lll:

Investor

Claim No.

Bricklayers and Allied Craftsmen Local 2 Annuity Fund

005984

¹ Effective December 31, 2010, Laborers' Local 103 Annuity Fund and Laborers' Local 103 Pension Fund merged with Rochester Laborers' Annuity Fund and Rochester Laborers' Pension Fund, respectively, and Rochester Laborers Annuity Fund and Rochester Laborers Pension Fund are the successor and surviving employee benefit funds.

Bricklayers and Allied Craftworkers Local 2 Pension Fund	005983
Central New York Laborers' Annuity Fund	004974
Central New York Laborers' Pension Fund	005077
International Brotherhood of Electrical Workers Local Union	
No. 43 and Electrical Contractors Pension Fund	005835
I.B.E.W. Local 139 Pension Fund	005422
I.B.E.W. Local 241 Pension Fund	005467
I.B.E.W. Local 325 Annuity Fund	006585
I.B.E.W. Local 325 Pension Fund	006572
I.B.E.W. Local 910 Annuity Fund	005414
I.B.E.W. Local 910 Pension Fund	004801
I.B.E.W. Local 1249 Pension Fund	006901
Laborers' Local 103 Annuity Fund	005965
Laborers' Local 103 Pension Fund	005964
Local 73 Annuity Fund	005895
Local 73 Retirement Fund	005897
Oswego Laborers' Local 214 Pension Fund	005411
Roofers' Local 195 Pension Fund	004336
Roofers' Local 195 Annuity Fund	004334
SEIU 1199Upstate Pension Fund	005810
Service Employees of Upstate New York Pension Fund	006160
Syracuse Builders Exchange, Inc./CEA Pension Plan	005162

4. Attached as Exhibit B is the Notice of Trustee's Determination of Claim issued to Objector Bricklayers and Allied Craftsmen Local 2 Annuity Fund by Irving H. Picard, trustee for the substantively consolidated liquidation of BLMIS ("Trustee"), denying that Objector's Claim. Each of the Objectors received substantially similar notices from the Trustee providing identical reasons for the determination.

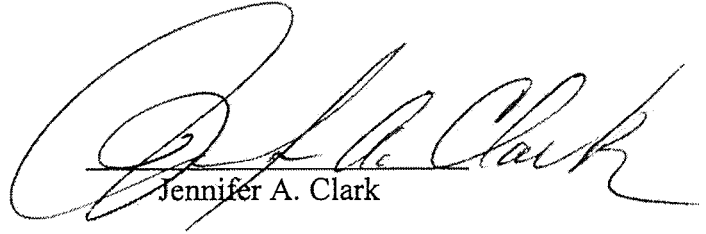
5. Attached as Exhibit C are Objectors' Annual Return/Report of Employee Benefit Plan, also known as Form 5500, filed pursuant to Sections 104 and 4065 of the Employee Retirement Income Security Act ("ERISA"), 29 U.S.C. §§ 1024 and 1365, for the year 2008. The documents at Exhibit C are publicly available at <http://www.freeerisa.com>.

6. Attached as Exhibit D is the Complaint in the pending matter J.P. Jeanneret Associates, Inc. v. Mantello, et al., No. 5:09-cv-1280 (N.D.N.Y. filed Nov. 16, 2009). The document at Exhibit D is publicly available via Public Access to Court Electronic Records (PACER) at <http://www.pacer.gov/> and is designated Document 1 on the docket sheet for the above-referenced matter.

7. Attached as Exhibit E is the Declaration of Brian E. Whitely, Esq., partner with the law firm of Hiscock & Barclay, LLP, attorneys for J.P. Jeanneret Associates, Inc. in connection with the pending matter In re J.P. Jeanneret Associates, Inc., et al., Master File No. 09 Civ. 3907 (CM) (S.D.N.Y.), and excerpts of certain exhibits attached thereto, including excerpts of a Confidential Private Offering Memorandum for the Income-Plus Investment Fund ("Income-Plus") dated December 15, 1993, an Agreement of Trust Establishing the Master Income-Plus Group Trust dated February 23, 1993, and a Confidential Private Offering Memorandum for Income-Plus dated November 1, 2003. The documents at Exhibit E are publicly available via Public Access to Court Electronic Records (PACER) at

<http://www.pacer.gov/> and are designated Document 150 and Document 150-4 through 150-8 on
the docket sheet for the above-referenced matter.

Dated: May 16, 2011



Jennifer A. Clark

Sworn to before me this 16th
day of May, 2011.



Notary Public

CHELSEA DAWN FRANKLIN
Notary Public - State of New York
No. 01FR6200643
Qualified in Onondaga County
My Commission Expires February 2, 2012

BJL\wpfiles\Madoff\SIPC claim\SIPC IP Obj. - JAC Aff